
FACULTY SENATE EXECUTIVE MEETING

**March 14, 2019
12:50 P.M. ENG 117**

Present: Christina Carmen, Laird Burns, Monica Dillihunt, Carmen Scholz, Jeff Weimer, Mike Banish, Tim Newman

Absent: Lori Lioce, Gang Wang

Guest: President Bob Altenkirch, Sandra Parton, Todd Barre, Laurel Long

Ex-Officio: Provost Christine Curtis

- Faculty Senate President Mike Banish called the meeting to order at 12:56 pm.
- **Meeting Review:**
 - **Bill 431 passes first reading unanimously.**
 - **Bill 432 passes first reading unanimously.**
 - **Telecommunications Policy was sent to Personnel and Finance committee.**
 - **Appendix B was tabled.**
 - **Bill 430 passed first reading unanimously.**
- **Administrative Reports:**
 - President Bob Altenkirch
 - The Executive Plaza survey came back. The planners analyzed it and worked up a summary. Most of these points are student and faculty/staff viewpoints. Students want fast, casual restaurants. Faculty want sit down restaurants. Everyone wants a coffee shop, 24/7 food service, and basic services. All have requested event space. If you look at the master plan, there is a master purpose event center. It is between Spragins and University Place School. The planners think it would better fit in Executive Plaza. Everyone wants a lively and walkable area. A public park is wanted. That would be easy to accommodate. Students want dense stacked housing. Half faculty and staff said they would live in Executive Plaza with high standards. Students would like to see small units due to cost. Faculty/Staff believe student services should be moved to that area. They feel they would be utilized if moved closer to living quarters. Everyone wants us to be environmentally responsible. There will be two town hall meetings soon. They will talk about the survey results and receive feedback. They have created a footprint plan. It appears to me there is too much taken up with student housing. We went to the zoning commission to change the zoning. The property that is under Research Park zoning has huge setbacks with the restrictions. Some restrictions require housing to be on top of retail. The planners evaluated the market and didn't think the market would support all the housing on top of retail.

- Mike – I am concerned about Dunkin Donuts have raised their prices and are out of line with off campus sites. Having a commercial entity in here and to split profit, seems to be a way to raise prices on students.
- Carmen – They doubled the prices in our site versus off site sites in our area. This happened about a month ago.
- Laird – That would be a concern extending to Executive Plaza. This wouldn't be the best practice for students in trying to reach them. My other concern is a multi-purpose center. If we grow, we need to make sure our events take priority to other events.
- President – If I look at the Texas agreement, up front there are certain dates setup for the university.
- Laird – We are trying to build more government programs and am concerned about the capacity to host those. I don't think we can always plan ahead to know those dates. I know commercial interest has to pay for it.
- President – There will be town hall meetings. The planners will come together with all the information to come up with a plan that would be an amendment to the master plan. We need to decide how we are going to execute. There is no cookie cutter way to do it. It is a tradeoff of risk and control. On the structure side, we are trying to figure that out.
- Commencement is May 2nd at 10 and 2:30.
 - Provost – College of Engineering and Business are at 10. The other colleges are at 2:30.
 - Carmen – Can we have an update on Shelby Center?
- Provost Christine Curtis
 - The tenure and promotion letters went out March 1. Lecture promotion letters will go out tomorrow. After this our lecturers, clinical faculty, tenure/tenure track will go through at the same time.
 - I wanted to let you know that the Academic Appeals Policy is signed and posted. Copyright Policy is in the process of being signed. The Academic Misconduct Policy is with the Office of Counsel.
 - We have setup a committee of faculty and students with a representative from the senate. I asked Monica for someone from her committee or herself to serve. Deb Heikes' has volunteered to serve. The committee is creating a policy on authorship. If they were to author a book, what is the process in deciding when it can be chosen or is it proper used for textbook. The other part of the policy will be on selection on textbooks when a publisher provides a rebate to the university. In a couple of cases, rebate has went back to the department. Another case it was being requested. Rather than just letting it happen and having concerns about the textbook selection. I thought it would be best to have a policy in place.
 - Laird – Is there an order of magnitude to the rebate?
 - Provost – Alabama and Auburn have similar situations. UAB doesn't that they know of. One was 15%, one department proposed \$5/textbook. Auburn stated they have a lot of control on how the money is spent. UAB has a strong authorship policy. They make certain their students know the faculty member is the author and receives royalties. All that information is given that information.

- Laird – Authors get royalties and others get rebates?
 - Provost – I don't know that it is a royalty. I think it is a compilation of the course. I think it is a rebate back to the department. In the meantime, with the advice of counsel, we are removing all funds from the department and putting it in the college. The funds are restricted to only student activities.
 - Carmen – This is for textbooks only? Other publications aren't under this policy?
 - Provost – Anything we would sell for a course. It is what students are required to buy for a course.
 - Carmen – We have no policy that organizes faculty authors and the royalties they receive. Does the department receive some of that? Can they make the students use their textbook?
 - Provost – That is part of the policy. It is the use of the textbook in the faculty member class.
 - Laird – It is transparency at a minimum.
 - Provost – We are ensuring that it is the best textbook to use.
 - President – If they selected the textbook for that class that would violate the ethics law.
 - Laird – I think we support this.
 - Provost – I started quoting a policy. They had a committee of peers. It was far enough removed from the faculty member but within the discipline that would evaluate the textbook. Every state has their own ethic law.
- In our retention and persistence efforts we have had, we had the survey. Many of you know of students or multiple students have needs that doesn't allow them to finish. The idea came up from the Hanover study with various discussion, how do we help these students? WE talked with our advancement group. They agreed it would resonate with the community if we would develop a fund for students in their senior year and need financial assistance. We have been working with advancement to develop this idea. It isn't full fleshed out. It is a working progress. We have concluded to start on this it would be for undergraduate seniors. The amounts we would provide would depend on fundraising and the generosity of the community. Some would say they only do it once. We don't know all the details but we are working on it. We are trying to look at the best from each. The Deans want to make sure we all have the opportunity to help students that have needs. The Deans want to make sure that when a need is presented they are able to help then. Another way is done much more formally. I wanted you all to know about this. The idea happened about two months ago and we have met two times. Any suggestions are welcome. Personally, I would love to go into the junior ranks. We will start with seniors and see how it goes.
- Laird – I think that is an excellent idea. Do they have a group beyond advancement to help the student?
 - Provost – I would think the Dean of Students Office.
 - Mike – The problem with the Dean of Students. The students know us. They don't necessarily know the Dean.
 - Carmen – TJ was very well known among the students when he was Dean of Students. Do we even have the person now?
 - David – They made someone that person.

- Carmen – I knew TJ but I do not know this person. We need a person of that statute to take care of those students.
- David – You could call TJ and it was taken care of.
- Mike – The President has \$1M in the contingency fund in his budget. What is that used for?
- Monica – Flooding. It has happened 3 or 4 times in Shelby Center.
- Laird – Can we invite this Dean of Students in and ask questions?
- Mike – Yes, we could try for April.
- Carmen – We have a food bank for students. Do they know about that?
- Monica – Nope.
- Carmen – This would all fall under the Dean of Students.
- Jeff – The support we need for students are not within a contingency. This is something that we plan and prepare for.
- Provost – That is why we want to raise money for it.
- Carmen – I think we need to advertise better our resources for students.
- Laird – If you google it, you can't find it.
- Christina – I think knowing it exist is important, but the location should be discreet.
- Carmen – You don't have to advertise the address.
- Laird – I think making an email address known would be sufficient.
- Mike – Next time we will have Charles Nash to speak with us.
- Tim – There are many faculty complaints. I receive many complaints from faculty that all finalist should have been on campus. One candidate was brought and was hired. There was dissatisfaction that there was not more. I think it would be a mistake to hire someone that was never brought to the campus.
- Carmen – We are not a company. We are shared governance. The board needs to remember that.
- Tim - Our faculty may not buy into a new President if they do not come for a visit.
- Jeff – Can I ask is there an established procedure for how we hire Presidents or Provosts?
- Tim – Only for Provost.
- Provost – I walked through on the 10th and saw the stream. They drilled holes under the loading deck. The concrete was starting to buckle. A stream is still coming out.
- Todd – On 2/23 the intrusion started from the basement. We never have had deep water in the building. GeoTech recommended we drill holes in the loading dock. When it was full speed you could fill a 5 gallon bucket in seconds. The holes did help alleviate the pressure. We had to make decisions to remove items that water could cling to and mold grow.
 - Laird – Mike and I sat down with the President and Provost for a late meeting. We discussed the appendices and handbook. We asked about hiring a GRA to do some research. He suggested that he would do that. We also brought up prescription management. They said now the rebates go back to the fund not the pharmacy. Bob was also going to check into that. We requested that a benefits committee be set up to listen to faculty. He

suggested that he could do that as well. They said it was several millions of dollars that went back into the pool for faculty/staff.

- Tim – Their CEO is quoted in fortune magazine that he only puts prescriptions on the list that give him kickbacks.
- Laird – The fired and changed another company. UAH would be a candidate to go into this.
- Guest – Us, Tuscaloosa, and System Office is under that group plan.
- Mike – The President did agree to set up a benefits committee.
- Member – We have one setup and faculty our on the committee. They also have input. We don't pick the members, they are sent to us.
- Provost – None of the information from that committee is relayed back to the senate.
- Todd – Sounds like there is a mechanism that needs to be straightened up some.
- Provost – Don't they volunteer?
- Christina – I don't remember there being a benefits committee on the list.
- Carmen – I think that is another example that faculty serve on certain committees, but don't report back.
- Todd – We keep the humidity down with fans. Carpet, sheet rock, furniture have all been removed. As soon as we came back from spring break, we are working with architect on the foundation. We don't see any signs of erosion. They feel comfortable that it is stable. Moving forward is to mitigate what we can. We will have to put in drainage. That is where we are. The temp being cool is helping. We will check air quality. We do have a one way air system so it doesn't recirculate. It's just heavy rain. It isn't on a spring.
 - Christina – Was this a risk we took?
 - Todd – It was built in 2006. I haven't seen records. General Counsel is involved to help UAH.
 - Carmen – Faculty wants to know who signed the permit. It was a swampy area.
 - Todd – We've heard similar events have happened at Huntsville Hospital.
 - Vladimir – What is the impact?
 - Provost – Physic lab. We have to figure out spring and fall.
 - Todd – It depends on what they find. Just the basement is affected. We are checking the whole building.
- Sandra – All companies get rebates. When we originally did a RFP in 2015, and chose OptiumRX. They do offer a percentage of the rebates.
 - Mike – How much do we get? And what are we doing with it?
 - Sandra – They put it back into the account to offset the cost.
 - Tim – This distorts the market. You aren't always getting the lowest cost. As employees, there isn't any transparency. The pharmacy managers can't tell you anything. BCBS can't tell you anything.
 - Sandra – What is that based on?
 - Tim – If I go to the drugstore and have to pay \$2200 and could have paid \$1100.

- Sandra – I have received a lot less of issues since our recent change. Every PBM is going to have issues.
- Laird – If you go to the lower premium, higher deductible plan, we should have notice of prescription coverage changes. That would allow us to choose the best plan.
- Sandra – For most, there is an alternative. There is the opportunity for you to do a PA. The employee can request that a PA done to the PBM.
- Tim – That process is about 90 days. It isn't permanent. If you are in a situation where your prescription is up, can you wait?
- Sandra – Usually it last for a year. It's usually 90 days if that haven't taken that drug before.
- Tim – That isn't true. The one I am talking about is you receive a 30 day supply.
- Sandra – I am not saying you get a year supply.
- Member – My husband received the PA and received the prescription for one year.
- Tim – I think that it isn't a fair process that this comes out after I chose the program.
- Laurel – BCBS sends out the notices.
- Sandra – Most received these notices in November.
- Mike – I am totally out of this. I have almost no clue of what you are talking about. I don't use the UAH plan. It seems like that while all the necessary steps are being taken. It seems like the best information for decision making isn't being collated. I think we need to look at that. The fact is that there are all individuals and don't know to communicate with each other about these changes. If you had a public disruption list, then in faculty or staff senate, then you could discuss the number of disruptions that were taken place within the campus.
- Sandra – I think your example is extreme. We have had very little disruption.
- Mike – I have three people complaining about the changes. You are going to down the path of taking an ineffective drug. I think we need to be more proactive and upfront.
- Sandra – If you took everyone, there will always be someone who is negatively affected. We can't choose a plan that will take care of everyone.
- Mike – The question will then be as we choose the two plans that some information will be out there to list the drugs that will be available. I don't ever remember asking for membership for this committee. Apparently, there are missteps on our part as well. We need to look forward on how we best do that.
- Laurel – We have a standing benefits committee with UA and the system office. The system office has chosen a benefits consultant. Sandra and I are not making these decisions in isolation. When we partner, we get the value of that. It may not seem the best or transparent but we do have a larger committee looking into this.

On the smaller benefits committee, we tackle these things. When we transitioned to the higher deductible plane, we thought we were sharing information. We will be happy to share any additional information.

- Laird – We think you are trying to be appropriate.
- Laurel – They will transition in 2019.
- Monica – Just like when we met on campus, when we saw the higher deductible plan the meat wasn't upfront.
- Laurel – We had 48 sessions on campus. We went into a tremendous amount of detail.
- David – There is a distinction between plans and the pharmacy.
- Monica – Not knowing which medicines change, I wouldn't have known the options I had. Those are the things that would have helped.
- Laurel – We talked about that in our presentations. That was a specific part.
- Tim – I did due diligence. I did exactly what they said. They did a wonderful presentation. The issue isn't for any failing among Laurel or Sandra. You couldn't have given all the information to make an informed decision. I think we have a situation with people in the two classes of plans. I am apparently subsidizing for the smaller plans.
- Christina – I think the mechanism for not having a faculty senate member on the committee relaying the information would have corrected this.
- Mike – This isn't an attack on you. The system is broken. We need to figure out how to address the system. You are doing the best you can. We don't seem to know who is represented on that committee.
- Todd – As we move forward with our sister universities, we will bring these issue up. They do try to address these issues.
- Jeff – Yes, compliments. It isn't an UAH problem it is a national problem. As you have said that you have done these reports, it seems that you check these plans and you know that we will do better. Do you know enough about potential spikes and make reports about specific drugs and their increase?
- Laurel – Around a class of drugs or specific drugs?
- Sandra – The formulary can change. What you pay may change in one month. You are dealing with a market that is volatile. We are just the victims in this. There are market considerations.
- Laurel – I had sticker shock with our new price on a drug. We are victims to that. We are trying and we will give information as best as we can.
- Monica – What happens to a staff member that can't afford these increases?
- Sandra – We tried to steer a lower paid staff members to the PPO plan. The PPO plan is still based on premier tiers.
- Laurel – We tried to diligent in that plan.

- Carmen – I had a point that I wanted to bring to your attention. One chemical company went out of business, we were able to obtain materials for low prices. The larger pieces went on auction for low prices. The department for three days trying to figure out to go about this. All the items we wanted was above \$15K. When it came to the actual process of bidding, then we were told we had to go through bid. We lost in excess of \$100K.
 - Todd – That is one of the classic things we run into. State rules and regulations limit how high you can go. The only way to work around that is to work to get it changed. If we have examples, we can try to get that changed. We lose out on value because of these rigid rules. Universities just started letting us participate in auctions. It is an uphill battle.
 - Tim – I have been talking with a number of colleagues on campus have encouraged me to bring a standing order to the senate in regards to the handbook. This says that we will not receive any more revisions until we know why chapter 5 was not accepted. We are over 10 years on the process. The senate acted to send chapter 7 and 9 in 2013. I think it is out of line for there to be a deadline on any response.
 - Laird – When we met with the President and Provost, they mentioned it usually takes 10 years to move forward with a handbook.
 - Tim – I propose this standing order for the senate. I do not want it as a bill. We do need to vote for it on the agenda.

➤ **Officer/Committee Reports**

- Christina Carmen, Ombudsperson
 - No report.
- Jeff Weimer, Finance and Resources Committee Chair
 - We've had 40-41 approvals for RCEU. The student list is sent and they will be employees. There is a whole new process for them to have background checks. All faculty will receive notifications. Faculty will also receive notification about a shadowing process. The Distinguished Speaker series is our new order of business.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - No report.
 - Laird – When are elections done?
 - Monica – Next meeting. Lori is doing that.
- David Johnson, Faculty and Student Development Committee Chair
 - This morning I sent out the department chair survey. I have received 6 responses. There is some substance to the responses.
- Vladimir Florinski, Personnel Committee Chair
 - We had the initial meeting on the discrimination policy. I will share more when there is more.
- Mike -Jeff, have you heard anything on the overhead committee? Can you contact Todd?
 - Provost – There was a meeting on 2/28.
- Carmen – I don't have a report. I have a question for the Provost. Students are aware of Executive Plaza. The students were not enthusiastic about housing prices. There apparently was something in there about the prices. Very much to my surprise, she spent the night moping the floors in the residence hall. CCRH next to Wilson Hall. The roof is leaking. This is a severe problem.
 - Mike – We seem to have things that are affecting students that aren't being made known across campus.

- Agenda for Thursday:
 - Modification to Chapter 8. Ron made a suggestion to Chapter 8. Under 8.1.3, we break into three parts. He wanted undergraduate and graduate in each part. I would like to put this on the agenda.
 - Tim – I move that this modification be put forward as Bill 433. Laird seconds. Ayes carry.
- Bill 431:
 - Tim – I have received a lot of concerns in regards to Shelby Center. This bill states that a report done on the building. Then the full contents of the report be released to all the UAH community. There is a lot of concern of the structure of the building. There is also a point in there that discussion on the campus is funded by proration. Carmen seconds. Ayes carry.
- Bill 432:
 - Tim – Tech Hall has been in a deplorable situation for a long time. Over 25% of undergraduates that haven't declared a major reside in this building. It is a horrible welcome to them and horrible workplace for our faculty. The points I am making today have been addressed multiple times. We are lucky that Olan King isn't on the BOT anymore. If the BOT members who knew him, knew the condition of his building would be angry at this university. I move the acceptance for Bill 432. Carmen seconds. Ayes carry.
- Telecommunications Policy:
 - Mike – My comment is it seems to be a list of possible ways that faculty can be naughty and the penalties. It doesn't say what telecommunications should do. There is no guarantee that it will work or have it work. You can disagree or agree with it.
 - Carmen – I am with you on this. It is a list of what we shouldn't do. What is the commitment from OIT to us? I have brought up the annoying calls we receive now that we have switched. Can't something be done?
 - Provost – They are working, but there is little they can do.
 - Jeff – This is brought forward so what do we do now?
 - Mike – We can approve it here. We aren't supposed to make personal, long distance call.
 - Jeff – It is to provide efficient and accurate information. It tells us what to do. IT doesn't tell us what OIT's responsibility is to us. I recommend that it go to committee.
 - Laird – I second Jeff's motion.
 - Mike – Let's assign it to personnel and finance. Ayes carry.
- Appendix B:
 - Tim – In light of the standing order, I move that we table appendix B.
 - Mike – Can I say no for now?
 - Tim – I will move. Jeff seconds. I will also speak to it. This process has gone on too long. Too much of our time has went into it. The handbook is a black hole. It is a misuse of tax payer's dollars to spend another minute on it. The senate is entitled to a prompt response. Let's stop the process now. Let's wait until we receive a response from other chapters.
 - Mike – Ayes carry to Tim's motion.
- Bill 430 – start up.
 - Carmen – This is about extending the period of startup plans. The main focus is we expect vigorous research be put into place. There are some disciplines that need consumables throughout. They need the money between the end of three years and tenure.
 - Mike – If you are an aggressive faculty member, you may have put in full price for a particular piece of equipment but they give an discount. In order to help those heavily reliable on consumables, we have put together this policy.

- Jeff – I want to comment on those who face situations who are restricted, petition, and potentially hear no.
 - Mike – Carmen seconds. Ayes carry.
 - Provost – How long does this suggest?
 - Carmen – 5.
- Meeting adjourned at 3:11.